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APPENDIX A.

NOTICE OF PREPARATION AND RESPONSES

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT
770 FAIRMONT AVENUE, SUITE 102
GLENDALE, CA 91203-1035

JUN 2 3 2004

Notice of Preparation

To: Agencies, Organizations, and Interested Parties

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Tehachapi North Afterbay Project

The California Department of Water Resources (CDWR), acting as the lead agency under the California Environmental Quality Act (CEQA), has determined that an Environmental Impact Report (EIR) will be prepared for the proposed Tehachapi North Afterbay Project (project). The project description, location, and the probable environmental effects of the proposed project are summarized below.

A Notice of Preparation (NOP) was previously distributed for a similar project, the Tehachapi Second Afterbay Project, in September 2003. The proposed project has since been re-designed and the project site has been moved to a new location. Therefore, this new NOP is being distributed for the Tehachapi North Afterbay Project.

Agencies: We request the views of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by the CDWR when considering any permit or other approval your agency may issue for the project. In addition, the North Afterbay Project will require an amendment of FERC license 2426 due to the encroachment of the afterbay onto FERC Project land.

Organizations and Interested Parties: Comments and concerns regarding environmental issues of concern associated with the project are requested from organizations and individuals.

Due to the time mandated by State Law, your response must be sent at the earliest possible date but not ***later than 30 days*** after receipt of this notice. Please indicate a contact person in your response and submit your response to the following:

Mary M. Miller, Chief
Recreation and Environmental Studies Section
California Department of Water Resources
Division of Planning and Local Assistance, Southern District
770 Fairmont Avenue, Suite 102
Glendale, California 91203-1035

If you require additional information, please contact Mary Miller at (818) 543-4698.

Project Title: Tehachapi North Afterbay Project

Project Location: The proposed Tehachapi North Afterbay site is located in southern Kern County, just north of the Los Angeles County border, approximately 10 miles east of Interstate 5 and 3.5 miles north of State Route 138, as shown in Figure 1. More specifically, the proposed project would be located northeast of the bifurcation of the East Branch and West Branch of the California Aqueduct, east of Cottonwood Chutes and an existing natural drainage channel, as shown in Figure 2.

Project Description: The CDWR proposes to construct a reservoir northeast of the bifurcation of the East Branch and West Branch of the California Aqueduct. The Tehachapi North Afterbay Project (proposed project) would provide additional storage to the existing Tehachapi Afterbay (a.k.a. Pool 42). This additional storage would allow downstream facilities on the East Branch, and to a lesser extent, the West Branch, to operate for short periods without relying on the pumping operations of the Dos Amigos, Buena Vista, Teerink, Chrisman, and Edmonston Pumping Plants, thereby reducing expensive pumping during peak electrical demand periods and providing increased operational flexibility. Pumping could then be shifted from expensive, peak periods of power demand to off-peak periods when power rates are lower, resulting in cost savings.

As a result of the proposed project, flow to the West Branch would remain relatively unchanged. Flow to the East Branch, which currently is routed through the existing Tehachapi Afterbay to Cottonwood Chutes or Alamo Powerplant, would diverge from the existing Tehachapi Afterbay into the Tehachapi North Afterbay (north afterbay) and then discharge into the Alamo headworks and/or Cottonwood Chutes (Figure 3). A new bypass around Cottonwood Chutes would also provide a third conveyance to the East Branch. Background information and additional details of the proposed project are provided in Attachment No. 1.

Mary M. Miller

Mary M. Miller, Chief
Recreation and Environmental Studies
Southern District

June 23, 2004
Date

Tehachapi North Afterbay Project

Figure 1

California Aqueduct

To Dos Amigos Pumping Plant

To Bakersfield

119

5

99

Buena Vista Pumping Plant

33

166

Teerink Pumping Plant

Chrisman Pumping Plant

California Aqueduct

Edmonston Pumping Plant

Tehachapi Mountains

Porter Tunnel

PROPOSED TEHACHAPI NORTH AFTERBAY

Tehachapi Afterbay

Kern County
Ventura County

Oso Pumping Plant

Alamo Powerplant

To Lancaster

138

Quail Lake

Peace Valley Pipeline

To Lake Perris

N

William E. Warne Powerplant

Pyramid Lake

Los Angeles County
Ventura County

Angeles Tunnel

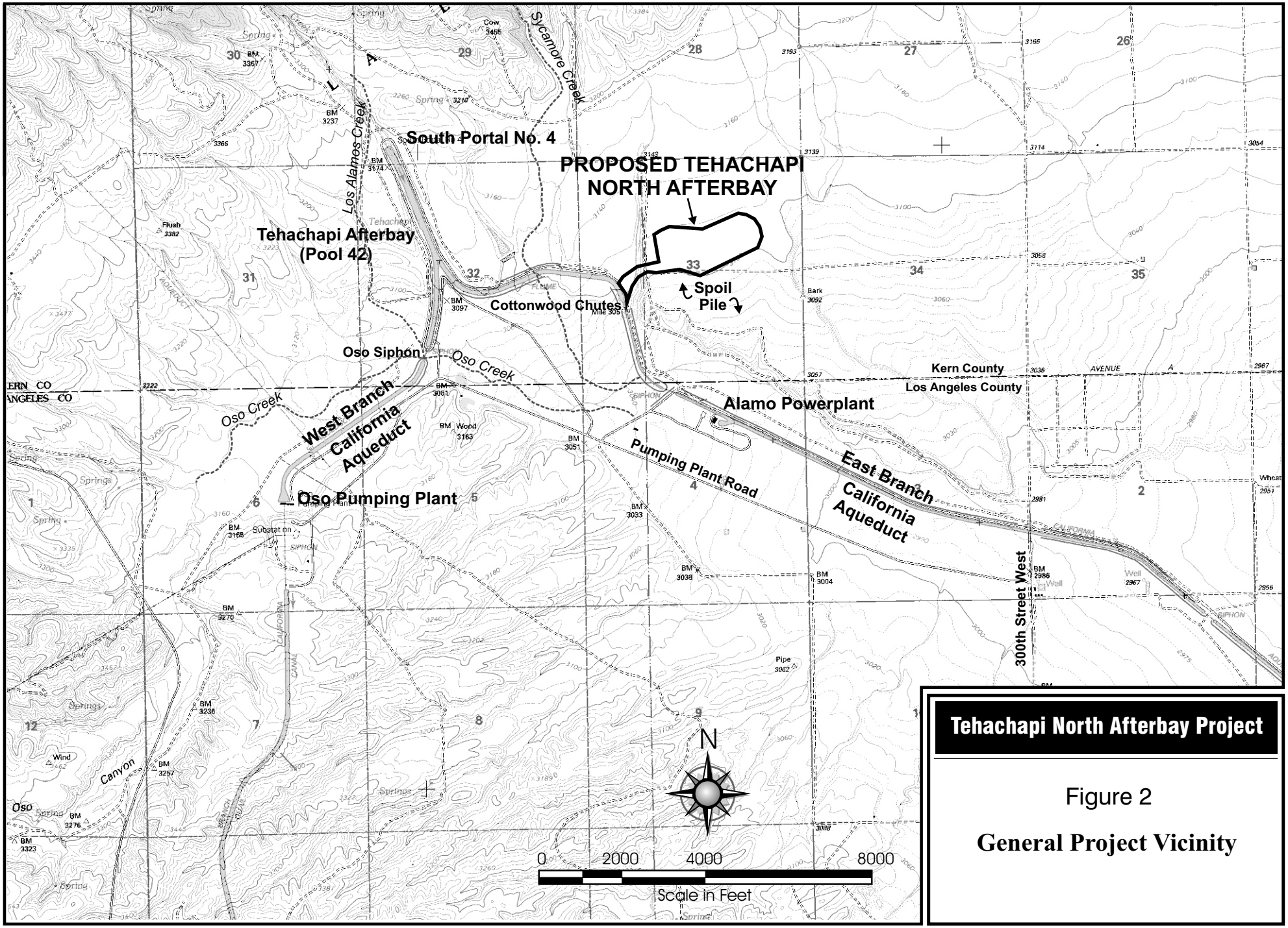
Castaic Powerplant (LADWP)

Castaic Lake

To Los Angeles

0 4 8 16

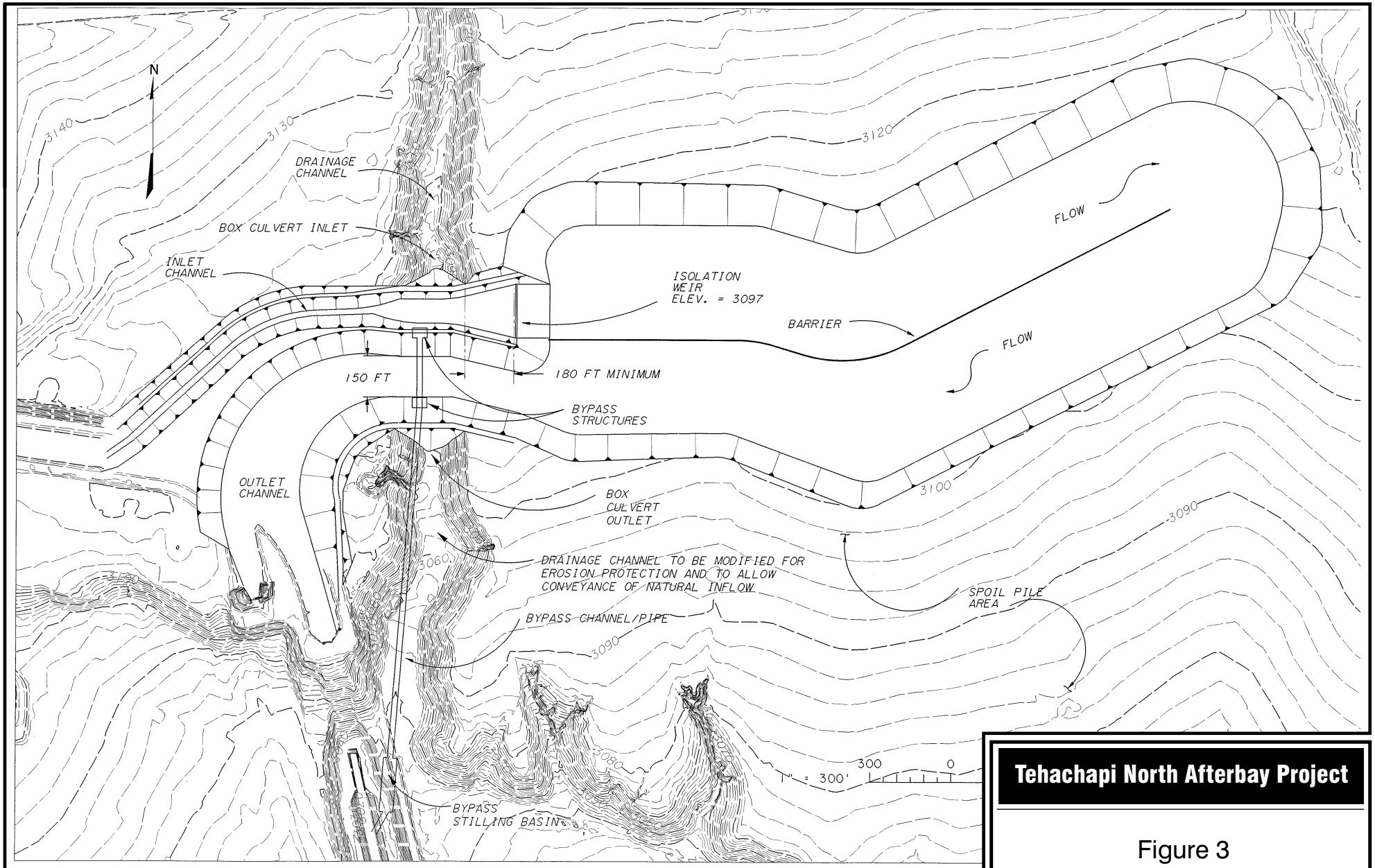
Scale in Miles



Tehachapi North Afterbay Project

Figure 2

General Project Vicinity



Source: CDWR Division of Engineering

Tehachapi North Afterbay Project

Figure 3

Proposed Tehachapi North Afterbay (Details)

ATTACHMENT NO. 1
Notice of Preparation for the Tehachapi North Afterbay Project Draft EIR

Background

The California State Water Project is a water storage and delivery system of reservoirs, aqueducts, power plants, and pumping plants. Its main purpose is to store water and distribute it to urban and agricultural water suppliers in Northern California, the San Francisco Bay Area, the San Joaquin Valley, the Central Coast, and Southern California. The State Water Project includes 32 storage facilities, reservoirs, and lakes; 17 pumping plants; three pumping-generating plants; five hydroelectric power plants; and approximately 660 miles of canals and pipelines. The main line system, known as the California Aqueduct, begins in the Sacramento-San Joaquin Delta and extends as far south as Lake Perris in Riverside County.

The Dos Amigos, Buena Vista, Teerink, Chrisman, and Edmonston Pumping Plants are referred to as the "Valley String" on the State Water Project (Figure 1). These plants, except for Dos Amigos, operate virtually simultaneously to make water deliveries to the East and West Branches of the California Aqueduct. Since the early 1970s, the California Department of Water Resources (CDWR) has been investigating both on- and off-aqueduct alternatives to provide additional storage downstream of the Edmonston Pumping Plant, which pumps water over the Tehachapi Mountains. The proposed Tehachapi North Afterbay (north afterbay) would provide this additional storage.

The existing Tehachapi Afterbay consists of the canal sections immediately downstream of the Porter Tunnel, where the California Aqueduct emerges from the Tehachapi Mountains (Figure 2). Just downstream of the Porter Tunnel, the California Aqueduct bifurcates into the West and East Branches. The West Branch of the Aqueduct delivers water to the Oso Pumping Plant, Quail Lake, William E. Warne Powerplant, Pyramid Lake, Castaic Powerplant, and terminates in Castaic Lake. The East Branch of the Aqueduct delivers water to Cottonwood Chutes, Alamo Powerplant, Pearblossom Pumping Plant, Mojave Siphon Powerplant, Silverwood Lake, Devil Canyon Powerplant, and terminates in Lake Perris. The Oso Pumping Plant is located on the West Branch of the Aqueduct, approximately 1.25 miles southwest of the bifurcation of the California Aqueduct. The Alamo Powerplant is located on the East Branch, approximately 1.5 miles southeast of the bifurcation of the California Aqueduct.

Project Description

The CDWR proposes to construct a reservoir northeast of the bifurcation of the East Branch and West Branch of the California Aqueduct. The Tehachapi North Afterbay Project (proposed project) would provide additional storage to the existing Tehachapi Afterbay (Pool 42). This additional storage would allow downstream facilities on the West Branch and East Branch of the California Aqueduct to operate for short periods without relying on the pumping operations of the Valley String Pumping Plants, thereby reducing pumping during peak electrical demand periods and providing increased operational flexibility. Pumping could then be shifted from expensive, peak periods of power demand to off-peak periods when power rates are lower, resulting in cost savings.

As a result of the proposed project, flow to the West Branch would remain relatively unchanged. Flow to the East Branch, which currently is routed through the existing Tehachapi Afterbay to Cottonwood Chutes or Alamo Powerplant, would diverge from the existing Tehachapi Afterbay into the north afterbay and then discharge into the Alamo headworks and/or Cottonwood Chutes (Figure 3).

Project Details

The principal features of the proposed project include: (1) inlet channel; (2) isolation weir; (3) reservoir; (4) flow barrier; (5) spoil embankment; (6) outlet channel; (7) bypass; (8) existing canal improvements; (9) drainage culvert; (10) control building; and (11) site work.

Inlet Channel

Beginning upstream, the inlet channel would consist of an inlet weir, a trapezoidal channel, a drainage crossing, and a transition to the isolation weir. The inlet channel would have a length of approximately 1,500 feet and a maximum flow capacity of approximately 3,150 cubic feet per second (cfs). The inlet weir would consist of a concrete broad-crested weir with a maximum elevation of 3,094 feet. The inlet weir would provide adequate flow for the inlet channel and reduce excavation required to tie into the existing canal, thereby limiting outage requirements during construction. The inlet weir would discharge into a 1,000-foot long trapezoidal channel section with an invert elevation of 3,080 feet, an invert width of 20 feet, and side slopes of 2:1. In the next 200-foot reach, the channel

would transition into a widened drainage crossing with invert width of 90 feet, an invert elevation of 3,090 feet, and side slopes of 2:1. The last 300-foot section of the inlet canal would transition to the isolation weir. All channel sections would be lined with concrete.

Isolation Weir

The inlet structure would be isolated from the normal elevations of Pool 42 by an isolation weir, which would have a crest elevation of 3,097 feet (the lower elevation limit of active storage in Pool 42), thereby protecting the existing canal (Pool 42) from the rapid fluctuations of the north afterbay. The isolation weir would have a length of 197 feet and a design capacity of 3,150 cfs at elevation 3,100 feet. The weir would be a concrete-faced earth embankment with an ogee shape. The weir would discharge into a plunge pool with an invert elevation set below the reservoir invert elevation of 3,080 feet. The length of canal reach for the isolation weir and plunge pool would be 110 feet.

Reservoir

The Tehachapi North Afterbay (i.e., north afterbay or reservoir) would have a surface area of approximately 60 acres, based on the normal maximum water surface elevation (3,100 feet), and have a gross storage capacity of approximately 1,200 acre-feet (AF) (Figure 3). The reservoir would be designed to operate with a fluctuating elevation between 3,100 and 3,085 feet, providing for an operating (active) storage capacity of 900 AF. The minimum pool elevation (3,085 feet) would create five feet (equivalent to 300 AF) of inactive storage above the reservoir invert (elevation 3,080) to provide for sediment storage and to address water quality concerns. The upper 3 feet (between elevations 3,100 and 3,097 feet) would float on the existing Pool 42 (normal minimum elevation of 3,097 feet), providing approximately 180 AF for West Branch operations and the full 900 AF for the East Branch. Combined with Pool 42, the active storage capacity would increase to 1,017 AF.

Virtually the entire reservoir pool would be constructed in excavation. Based on soil sampling completed in the area, foundation material would be composed of dense Quaternary Terrace deposits. An approximate five-foot embankment would be placed around the southern perimeter of the reservoir and contiguous with the spoil embankment, to reduce excavation volumes. Approximately 3,000,000 CY of material excavated from the reservoir site would form the spoil embankment. The invert of the reservoir would be lined with hydraulic asphalt concrete to reduce seepage losses. Slopes would be lined with a combination of compacted in-situ or locally borrowed soils to reduce permeability, and overlain with open-graded asphalt concrete to provide erosion protection.

Flow Barrier

A flow barrier would be placed down the center of the reservoir to promote circulation of reservoir water. Materials under consideration for the construction of this structure include soil embankment, sheet piles, and H-piles with wood or concrete flashboards.

Spoil Embankment

Spoil materials would be placed immediately south (downhill) and east of the reservoir site (Figure 3). The spoil embankment would have a maximum height of approximately 30 feet and slopes of 2:1. Benching and drainage may be required.

Outlet Channel

The 500-foot long outlet channel would convey reservoir storage over the drainage channel and discharge into the Alamo headworks and/or Cottonwood Chutes. The outlet channel crossing the drainage would be lined with concrete, and have an invert width of 150 feet, an invert elevation of 3,080 feet, and side slopes of 4:1. The width of the canal would widen near the existing canal connection to improve hydraulics.

Bypass

A bypass structure would be constructed to provide East Branch deliveries during remediation of the existing canal (Pool 42), and to provide a permanent bypass of Alamo Powerplant and Cottonwood Chutes. The bypass would consist of a concrete turnout structure located in the outlet channel, a concrete chute, and a stilling basin that discharges into Cottonwood Chutes. One or two slide gates would control discharge into the turnout structure. Since the bypass chute is located within the natural drainage channel, improvements would be made to safely convey

natural flows through the project area. These improvements include erosion protection and regrading of the existing channel.

Existing Canal Improvements

This work would include the backfill or barrier construction in the existing canal (Pool 42) prism between the inlet and outlet channels. The existing canal immediately upstream of Cottonwood Chutes and Alamo Powerplant headworks would be modified to withstand the new drawdown requirements imposed by reservoir operation.

Drainage Culvert

A 7-foot x 10-foot concrete box culvert would convey the local drainage beneath the inlet and outlet channels. Hydrology studies have indicated that the 465-acre drainage area would produce an estimated 500 cfs discharge for a 500-year return interval. Since this is a relatively small flow, the culvert would be sized for maintenance equipment.

Control Building

A single-story control building measuring approximately 30 feet by 25 feet would be provided to contain controls for the bypass slide gate, backup generators, System Control and Data Acquisition (SCADA), heating, ventilation, air conditioning, and other related equipment. This structure would be located near the headworks of Alamo penstock.

Sitework

Sitework would include access roads, local drainage improvements (excluding the large north-south drainage beneath the inlet and outlet), relocation of existing utilities, revegetation, and erosion protection of all disturbed ground within the project area, perimeter fencing, around the reservoir and inlet/outlet structures, signs, barriers, security measures, and area lighting and near the control building.

Operation of the proposed reservoir would be similar to operating a wide spot in Pool 42. The proposed project would require no permanent on-site operational personnel. Operational activities associated with the proposed project would include routine daily surveillance of the area by water operations personnel from the CDWR's Southern Field Division. Maintenance would include both regular civil maintenance and preventative maintenance. Regular civil maintenance would include: grading access roads; repairing asphalt sections, as needed; cleaning and maintaining all drainage ditches; implementing erosion control practices in the immediate area, as needed; applying herbicides and pesticides, as needed, to adjacent land and to the water in the proposed reservoir; removing aquatic growth and wind blown debris; performing coating work on gates and other structures; and maintaining signs, fencing gates, protective devices, etc. A preventative maintenance schedule (annual, semi-annual) would be set up for the mechanical and electrical equipment. The reservoir liner would be inspected and cleaned of silt approximately every five years.

As part of the proposed project, the following environmental commitments and best management practices (BMPs) have been agreed to by the CDWR and have been incorporated into the project design.

- The Construction Project Manager shall monitor all site preparation and excavation activities for evidence of archaeological or paleontological resources that may be unearthed. In the event that a potential archaeological or paleontological resource is discovered, construction activities within 250 feet of the find shall be immediately halted. The Construction Project Manager shall contact a qualified archaeologist or paleontologist to investigate the potential resource and make a determination of significance. If the resource appears to represent a significant find, activities at that location will be halted until further evaluation of the resource can be completed (in accordance with Public Resources Code §21083.2 and State CEQA Guidelines §15064.5(f)) and, if necessary, appropriate action has been taken.
- The Construction Project Manager shall monitor all site preparation and excavation activities for evidence of buried human remains. In the event that human remains or possible human remains are discovered, construction activities within 250 feet of the find shall be immediately halted. The Construction Project Manager shall immediately notify a Cultural Resources Specialist, who in turn shall immediately notify the county coroner for the appropriate county, in compliance with California Health and Safety Code §7050.5 and State CEQA Guidelines §15064.5(e). Construction may recommence once compliance with all relevant sections of the

California Health and Safety Code has been completed, the Cultural Resources Specialist has completed all necessary investigations, and a written authorization to proceed has been issued by the CDWR.

- The construction contractor shall develop and submit detailed plans for implementing the permits obtained by the CDWR. These plans shall be submitted to the appropriate agencies (e.g., Kern County Air Pollution Control District, Lahontan Regional Water Quality Control Board, Kern County Fire Department, California Department of Transportation, etc.) for review and approval. The plans shall include but not be limited to the following: (1) Air Quality Control Plan, (2) Water Quality Control Plan, (3) Fire Prevention and Control Plan, (4) Storm Water Pollution Prevention Plan (SWPPP), and (5) Traffic/Noise Abatement Plan. Copies of the above plans shall be maintained at the work site throughout the construction period.
- The construction contractor shall prepare a SWPPP in accordance with the Regional Water Quality Control Board (RWQCB) guidelines. This plan shall include provisions for water quality protection and for implementing BMPs chosen to mitigate for construction activity pollutants.
- Project design and construction practices to be implemented by the CDWR and/or its construction contractor shall minimize soil erosion during construction and operation of the proposed facilities. Implementing recommendations from the California Stormwater Best Management Practices Handbook would minimize soil erosion. Erosion-minimizing efforts may include measures such as avoiding excessive disturbance of steep slopes; using drainage control structures (e.g., coir rolls or silt fences) to direct surface runoff away from disturbed areas and/or trapped sediments; strictly controlling vehicular traffic; implementing a dust-control program during construction; using vehicle mats in wet areas; and revegetating or reseeding disturbed areas following construction. Erosion-control measures shall be installed before extensive clearing and grading begins, and before the onset of winter rains.
- The CDWR shall plant native vegetation appropriate to the project site in areas disturbed by project construction, including staging areas and the spoil area.
- The CDWR shall establish an environmental training program to communicate environmental concerns and appropriate work practices, including spill prevention, emergency response measures, and proper BMP implementation, to all construction personnel. The training program shall emphasize site-specific physical conditions to improve hazard prevention (e.g., identification of potentially hazardous substances) and shall include a review of all site-specific plans. A monitoring program shall also be implemented to ensure that the plans are followed throughout the period of construction.
- The construction contractor shall prepare a Hazardous Substance Control and Emergency Response Plan that would include preparations for quick and safe cleanup of accidental spills. This plan shall prescribe hazardous-materials handling procedures to reduce the potential for a spill during construction, and shall include an emergency response program to ensure quick and safe cleanup of accidental spills. The plan shall identify areas where refueling and vehicle-maintenance activities and storage of hazardous materials, if any, would be permitted. The directions and requirements shall be reiterated in the project's SWPPP.
- The CDWR or its construction contractor shall use oil-absorbent material, tarps, and storage drums to contain and control minor releases. Emergency-spill supplies and equipment shall be kept adjacent to all areas of work and in staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Substances Control and Emergency Response Plan.
- The CDWR or its construction contractor shall store fuel, oil, and other hazardous materials only at designated sites. Quantities of all hazardous materials stored on-site shall be avoided or minimized, and substitution of non-hazardous materials for hazardous materials shall be implemented to the extent practicable. Each hazardous material container shall be clearly labeled with its identity, handling and safety instructions, and emergency contact. Similar information shall be clearly available and visible in the storage areas. Storage and transfer of such materials shall not be allowed within 100 feet of waters of the State. Storage or use of hazardous materials in or near wet or dry streams shall be consistent with the Fish and Game Code and other State laws. Material Safety Data Sheets (MSDS) shall be made readily available to the Contractor's employees and other personnel at the work site. The accumulation and temporary storage of hazardous wastes shall not exceed 90 days. Soils contaminated by spills or cleaning wastes shall be contained and shall be removed to an approved disposal site. Disposal of hazardous wastes shall be in compliance with the applicable laws and regulations.
- During construction, project personnel shall follow all applicable rules and regulations governing the storage, transportation, use, handling, and disposal of hazardous materials.

- The CDWR or its construction contractor shall maintain construction equipment to minimize hazardous material spills. Stationary power equipment, such as engines, pumps, generators, welders, and air compressors, shall be positioned over drip pans. Equipment used in water shall be free of exterior petroleum products (or other hazardous materials) prior to submersion and shall be checked and maintained daily to keep the equipment exteriors clean.
- The CDWR or its construction contractor shall store hazardous materials in containers with secondary containment.
- The construction contractor shall prepare a Spill Prevention, Control, and Countermeasure (SPCC) Plan in accordance with federal and California regulations. This plan must be prepared if petroleum products are stored in aboveground storage tanks with a capacity that equals or exceeds 660 gallons for a single tank, or equals or exceeds 1,320 gallons for more than one tank. The SPCC Plan must be prepared prior to delivery of petroleum products to the project site. The SPCC Plan shall include information on spill response procedures and fuel storage.
- In case of a spill or accident involving hazardous materials, the CDWR or its construction contractor shall immediately notify the Kern County Fire Department. All other federal, state, and local notification requirements shall be followed for any release that exceeds the reportable quantity or threatens to have a significant impact.
- The CDWR or its construction contractor shall protect tanks temporarily placed on-site for refueling from potential traffic hazards by vehicle barriers.
- For the transportation of hazardous materials, the CDWR or its contractors shall comply with all applicable regulations of the U.S. Department of Transportation, U.S. Environmental Protection Agency (USEPA), California Department of Toxic Substances Control, California Highway Patrol, and California State Marshal.
- The CDWR or its construction contractor shall be responsible for maintaining appropriate fire suppression equipment at the work site. Fire extinguishers, shovels and other firefighting equipment shall be inventoried and available at work sites and on construction equipment. Each vehicle on the right-of-way shall be equipped with a minimum 20-pound (or two 10-pound) fire extinguisher(s) and a minimum of five gallons of water in a firefighting apparatus (e.g., bladder bag).
- At the work site, sealed fire toolboxes shall be located at various points throughout the work site accessible in the event of fire. The location of the fire toolboxes shall be determined by the CDWR or its construction contractor to maintain safety in all areas of the work site. The fire toolboxes shall contain at a minimum: one backpack pump-type extinguisher filled with water, two axes, two McLeod fire tools, and enough shovels so that employees at the work site can be equipped to fight fire.
- The construction contractor shall equip gasoline-powered construction equipment with catalytic converters with shielding or other acceptable fire prevention features.
- The construction contractor shall equip internal combustion engines with spark arrestors. Welding sites shall include fire prevention provisions.
- All utilities disrupted by the construction of the Tehachapi North Afterbay shall be restored during or after construction by the CDWR or its construction contractor, as desired by the utility owner(s).
- The CDWR or its construction contractor shall remove all abandoned utility conduits to a distance of at least 50 feet from the reservoir embankment.
- The construction contractor shall use diesel engines certified to meet the USEPA and/or the California Air Resources Board (CARB) Tier 1 or better off-road equipment emissions standards, to the extent feasible. Equipment shall be verified by the CDWR.
- The CDWR shall notify the California Department of Fish and Game two weeks prior to draining the Tehachapi North Afterbay so that they may have the opportunity to communicate to the CDWR any interests regarding fish populations in the reservoir.

PROBABLE ENVIRONMENTAL EFFECTS: The CDWR has made the following preliminary determinations of the probable environmental effects for the proposed project.

Potentially Significant Impacts

a) Air Quality

The proposed project area would be located within the Mojave Desert Air Basin (MDAB), which has been designated as a nonattainment area for ozone and suspended particulates (PM_{10}). Temporary, but potentially significant, air quality impacts may result from the use of construction equipment, worker commute trips, and haul truck trips during construction. A detailed air quality emissions analysis will be conducted and evaluated in the Draft EIR, as well as feasible mitigation measures or alternatives, as appropriate.

b) Biological Resources

The proposed project could result in potentially significant biological impacts due to temporary or indirect impacts to habitat that may support sensitive species. A Streambed Alteration Agreement would be required for construction within the natural drainage channel pursuant to California Department of Fish and Game Code Section 1602. The potential for the proposed project to affect sensitive species and/or sensitive vegetation communities will be addressed in the Draft EIR, as well as feasible mitigation measures or alternatives, as appropriate.

Less-Than-Significant Impacts with Mitigation Incorporated

a) Aesthetics

The proposed project would be located in an undeveloped area where the dominate features include existing State Water Project facilities. As such, the proposed north afterbay would have very similar aesthetic characteristics and the scenic quality of the area would be relatively unchanged. In addition, the proposed project would not be expected to disturb any highly valuable or unique scenic resources, nor would it obstruct the view of any scenic resources. However, operation of the north afterbay would require exterior lighting during nighttime hours, which could have potentially significant impacts to current and future residences in the area. The Draft EIR will evaluate potential aesthetic impacts and provide feasible mitigation measures or alternatives, as appropriate, to reduce the potential impacts to levels that are less than significant.

b) Geology and Soils

The proposed project site would be located within the western end of the Antelope Valley, an alluvial valley bounded on the southwest by the San Gabriel Mountains and to the northwest by the Tehachapi Mountains. Two geologic units have been identified in the immediate vicinity of the proposed project, including Quarternary Terrace Deposits (Qt) and Quarternary Alluvium (Qal) (CDWR 2002). Quaternary alluvium in the project area consists predominantly of silty sand to clayey sand interbedded with lenses of poorly graded sand with silt, gravelly sand, gravel, and cobbles. The Terrace Deposits in the project area consist of medium brown to reddish brown, slightly stratified to massive clayey to silty sand. The proposed reservoir and spoil embankment would occupy an area of Terrace Deposits (Qt).

The two major fault systems in the vicinity of the proposed project are the San Andreas Fault zone, located approximately four miles to the southwest, and the Garlock Fault zone located approximately 5.5 miles northwest of the project site (CDWR 2002). The San Andreas fault is capable of a maximum moment magnitude of 8.0 (CDWR 2002). The closest fault traces identified include Strand D of the Piñon Hill fault, which trends approximately one mile north of the project site, and the Oso Canyon fault, which trends south of the project site.

Designed elements and mitigation measures would be developed to help reduce impacts from potential fault rupture, seismic ground shaking, erosion, landslides, lateral spreading, subsidence, liquefaction or collapse. The Draft EIR will evaluate potential geology and soil impacts and provide feasible mitigation measures or alternatives, as appropriate, to reduce the potential impacts to less-than-significant levels.

c) Noise

Noise would be generated during construction of the proposed afterbay, which could be potentially significant to residences in the surrounding area. The Draft EIR will present an evaluation of noise impacts and provide feasible

mitigation measures or alternatives, as appropriate, to reduce these impacts to less-than-significant levels. In general, operation of the proposed project would not generate a substantial amount of noise. However, intermittent maintenance activities may require the use of large construction-related equipment. Operational noise impacts will also be evaluated in the Draft EIR, and feasible mitigation measures or alternatives will be provided to reduce operational noise impacts to less-than-significant levels.

d) Transportation and Traffic

Traffic flows may be disrupted during construction, although impacts would be temporary in nature. The Draft EIR will evaluate this potentially significant impact and provide feasible mitigation measures or alternatives, as appropriate, to reduce impacts less-than-significant levels. No additional project-related traffic or transportation issues are anticipated as a result of on-going project operations. Therefore, the proposed project would not have long-term impacts on roadways or traffic operations in the project vicinity.

Less-Than-Significant Impacts or No Impacts

a) Agricultural Resources

Although the proposed project would be located on land that was historically used for rangeland activities or resource extraction, the site is not currently, nor is there evidence that it has recently, been used to support farming, grazing, or other agricultural activities. The site is, however, currently under a Williamson Act contract. Under the Williamson Act contract, land may be acquired for public improvements. The Williamson Act contract will be discussed further in the Draft EIR. Impacts to agricultural resources are expected to be less than significant.

b) Cultural Resources

Statistical Research, Inc. performed a literature search of cultural resources within the proposed project area has been conducted, and no cultural resources have been recorded in the project area (SRI 2003). Field surveys of the proposed project area will be conducted. Results of these investigations will be discussed in the Draft EIR. Because the area has been highly disturbed by agricultural activities, it is unlikely that subsurface cultural deposits would be present. No impacts to cultural resources are expected. In the unlikely event evidence of archaeological or paleontological resources or buried human remains are unearthed, the CDWR would implement the above mentioned environmental commitments and BMPs to reduce impacts to less-than-significant levels.

c) Hazards and Hazardous Materials

To determine the potential for hazards and hazardous materials, Environmental Data Resources, Inc. (EDR) performed a search of over 70 databases to identify sites with real or potential environmental issues within one mile of the study area (EDR 2003). The data search indicated that no hazardous, toxic, and/or radioactive waste sites are located within a one-mile radius of the proposed project site. Additionally, the proposed project would not involve the handling of hazardous materials. During construction, however, accidental spills or leaks may occur. These issues will be further addressed in the Draft EIR, but are expected to be less than significant with the application of the above mentioned environmental commitments and BMPs.

d) Hydrology and Water Quality

The proposed project would provide a reservoir, which would mainly be located below ground level in an area that is generally undeveloped, and would therefore not expose people or structures to a significant risk of loss, injury, or death involving flood. Furthermore, the proposed project would not be expected to use groundwater, significantly alter the course of any stream, or increase the rate or amount of runoff from the site. During operations, water from the State Water Project would not be introduced to local streams and would therefore not degrade the existing water quality. Construction of the proposed project would, however, require a Stormwater Pollution Prevention Plan (SWPPP) to comply with National Pollution Discharge Elimination System (NPDES) regulations. A Streambed Alteration Agreement would also be required, for construction within the natural drainage channel, pursuant to California Department of Fish and Game Code Section 1602. Additionally, flows from upstream drainages would need to be re-routed as a result of the proposed project. These issues will be further addressed in the Draft EIR; however, less-than-significant impacts to hydrology are expected.

e) Land Use and Planning

The proposed project would be located on land currently owned by the State of California and on certain Tejon Ranch lands, which would be purchased by the State. In addition, portions of the proposed project footprint would lie within a Federal Energy Regulatory Commission (FERC) jurisdictional boundary. An amendment to FERC Project No. 2426 would be required as a result of this encroachment on to FERC project lands. According to the Kern County Planning Department (Kern County 2003a), the proposed project site, both private and publicly owned land, has a zoning designation of Exclusive Agriculture (A). Waste storage, groundwater recharge facilities and large water systems are all allowed uses under the Exclusive Agriculture designation. The classification of the State owned property as Exclusive Agriculture is consistent with General Plan Implementation Policy D for Non-jurisdictional Land that state "Classify federal and State lands in a zoning category which is consistent with a Resource Management category" (Kern County 2003b). The Kern County General Plan designates the private property encompassed by the proposed project site as Extensive Agriculture (Kern County 2003b). This designation includes lands for agricultural uses involving large amounts of land for use as livestock grazing, dry land farming and woodlands. Water storage is considered a compatible use. Those portions of the proposed project site owned by the State are designated within the Kern County General Plan as State and Federal Lands. Therefore, the proposed project would not conflict with applicable land use plans, policies, and regulations. Additionally, the proposed project would not divide an established community, as no established community exists in the general vicinity, nor would it conflict with any applicable habitat or natural community conservation plans, as no such plans cover the project site or the immediate surrounding area. Therefore, no impacts to land use and planning would result with project implementation. The Draft EIR will not evaluate this environmental category.

f) Mineral Resources

The proposed project site is not located in an area of a known mineral resource (California Geologic Survey 2003), nor will implementation of the proposed project result in the loss of availability of a locally-important mineral resource that has been delineated in a land-use planning document. No impacts to mineral resources would occur. Therefore, this environmental category will not be evaluated in the Draft EIR.

g) Population and Housing

The Tehachapi North Afterbay would be located in an undeveloped, unincorporated area of Kern County, with no existing clusters of residential development nearby, as noted during a site visit on April 6, 2004. Additionally, the proposed project would not result in or include the construction of demolition of housing units, or require the displacement of any people. Therefore, the proposed project would not contribute to population growth or displace a substantial number of existing residences as a result of project construction or operation. No impacts to population and housing would occur as a result of the proposed project. This environmental category will not be evaluated in the Draft EIR.

h) Public Services

Public services to the project area would be provided by the County. The Draft EIR will discuss demands on public services for both construction and operation. The proposed project would consist solely of water facilities and would not generate the need for new or additional public facilities, such as police, fire protection services, schools, or parks. Therefore, less-than-significant impacts to public services are expected during both construction and operation of the proposed project.

i) Recreation

Due to the isolated location of the proposed project site, the fact that the proposed project would not induce population growth and would not include the construction or expansion of recreational facilities, no impacts would occur to recreation as a result of the proposed project. Therefore, this environmental category will not be evaluated in the Draft EIR.

j) Utilities and Service Systems

Construction of the proposed project may affect utilities in the proposed project area. As part of the project's environmental commitments, all utilities disrupted by the construction of the north afterbay would be restored during and after construction, if desired by the owner. As such, the proposed project would not have significant impacts on local utilities. Additionally, the proposed project would not produce substantial amounts of solid waste

materials. Most of the soil excavated to create the reservoir would be used to create the reservoir embankment and/or spoil embankment. All hazardous waste materials would be handled and disposed of by a licensed waste disposal contractor and transported to an appropriate disposal or recycling facility to meet federal, State, and local requirements. Once construction is complete, the Tehachapi North Afterbay would not produce solid wastes. As such, construction and operation of the proposed project would not require the construction or modification of any service systems. Therefore, less-than-significant impacts to service systems are expected as a result of the proposed project.

REFERENCES

California Geologic Survey. 2003. Personal communication between Marc Campopiano of Aspen Environmental Group and Russel Miller of the California Geologic Survey, Los Angeles, regarding the presence of any MRZ-2 mineral zones. 213-239-0878. April 18.

CDWR (California Department of Water Resources). 2002. Division of Engineering, Tehachapi Afterbay Enlargement Feasibility Study. November.

EDR (Environmental Data Resources, Inc.). 2003. EDR Radium Map TM Report for the Tehachapi Second Afterbay site. Inquiry Number: 1006277.1s. July 2, 2003.

Kern County (County of Kern, Planning Department). 2003a. Personal communication between Marc Campopiano and a planner at the planning desk for the County of Kern Planning Department regarding the zoning and land use designations of the project site. June 19.

_____ 2003b. Response to Notice of Preparation for the Tehachapi Second Afterbay Project. Letter from Lorelei H. Oviatt, Supervising Planner. October 30.

SRI (Statistical Research, Inc.). 2003. Archaeological Survey of the Tehachapi Afterbay Enlargement Project, Kern and Los Angeles Counties, California. Technical Report 03-45 prepared by Gabrielle Duff and Donn Grenda. June.

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Arnold
Schwarzenegger
Governor

Jan Boel
Acting Director

Notice of Preparation

June 28, 2004

To: Reviewing Agencies

Re: The Tehachapi North Afterbay Project
SCH# 2004061133

Attached for your review and comment is the Notice of Preparation (NOP) for the The Tehachapi North Afterbay Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Mary Miller
Department of Water Resources
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

Document Details Report
State Clearinghouse Data Base

SCH#	2004061133
Project Title	The Tehachapi North Afterbay Project
Lead Agency	Water Resources, Department of

Type	NOP Notice of Preparation
Description	Construct a new afterbay facility (reservoir) northeast of Cottonwood Chutes near the East Branch of the California Aqueduct to provide additional storage to the existing Tehachapi Afterbay.

Lead Agency Contact

Name	Mary Miller		
Agency	Department of Water Resources		
Phone	818 543-4698	*Fax*	
email			
Address	770 Fairmont Avenue, Suite 102		
City	Glendale	*State* CA	*Zip* 91203-1035

Project Location

County	Kern			
City				
Region				
Cross Streets	Pumping Plant Road/300th Street West (North of SR-138)			
Parcel No.				
Township		*Range*	*Section*	*Base*

Proximity to:

Highways	
Airports	
Railways	
Waterways	California Aqueduct, Tehachapi Afterbay (Pool 42)
Schools	
Land Use	Kern County Planning Department specifies zoning as Exclusive Agriculture (A).

Project Issues	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse
Reviewing Agencies	Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Reclamation Board; Department of Fish and Game, Region 4; Department of Health Services; Native American Heritage Commission; Caltrans, District 6; State Water Resources Control Board, Division of Loans and Grants; State Water Resources Control Board, Division of Water Quality; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Bd., Region 5 (Fresno)

Date Received	06/24/2004	*Start of Review*	06/24/2004	*End of Review*	07/23/2004

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: Kern **SCH#** 2004061133

Resources Agency

- [■] **Resources Agency** Nadell Gayou
- [ ] **Dept. of Boating & Waterways** Suzi Betzler
- [ ] **California Coastal Commission** Elizabeth A. Fuchs
- [ ] **Colorado River Board** Gerald R. Zimmerman
- [■] **Dept. of Conservation** Roseanne Taylor
- [ ] **California Energy Commission** Environmental Office
- [ ] **Dept. of Forestry & Fire Protection** Allen Robertson
- [■] **Office of Historic Preservation** Hans Kreutzberg
- [■] **Dept of Parks & Recreation** B. Noah Tilghman Environmental Stewardship Section
- [■] **Reclamation Board** DeeDee Jones
- [ ] **Santa Monica Mountains Conservancy** Paul Edelman
- [ ] **S.F. Bay Conservation & Dev't. Comm.** Steve McAdam
- [ ] **Dept. of Water Resources** Resources Agency Nadell Gayou

Fish and Game

- [ ] **Dept. of Fish & Game** Scott Flint Environmental Services Division
- [ ] **Dept. of Fish & Game 1** Donald Koch Region 1
- [ ] **Dept. of Fish & Game 2** Banky Curtis Region 2
- [ ] **Dept. of Fish & Game 3** Robert Floerke Region 3
- [■] **Dept. of Fish & Game 4** William Laudermilk Region 4
- [ ] **Dept. of Fish & Game** Don Chadwick Region 5, Habitat Conservation Program
- [ ] **Dept. of Fish & Game 6** Gabrina Gatchel Region 6, Habitat Conservation Program
- [ ] **Dept. of Fish & Game 6 I/M** Tammy Allen Region 6, Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Game M** George Isaac Marine Region

Other Departments

- [ ] **Food & Agriculture** Steve Shaffer Dept. of Food and Agriculture
- [ ] **Dept. of General Services** Robert Sleppy Environmental Services Section
- [■] **Dept. of Health Services** Wayne Hubbard Dept. of Health/Drinking Water

Independent Commissions,Boards

- [ ] **Delta Protection Commission** Debby Eddy
- [ ] **Office of Emergency Services** John Rowden, Manager
- [ ] **Governor's Office of Planning & Research** State Clearinghouse

---

- [■] **Native American Heritage Comm.** Debbie Treadway
- [ ] **Public Utilities Commission** Ken Lewis
- [ ] **State Lands Commission** Jean Sarino
- [ ] **Tahoe Regional Planning Agency (TRPA)** Cherry Jacques

Business, Trans & Housing

- [ ] **Caltrans - Division of Aeronautics** Sandy Hesnard
- [ ] **Caltrans - Planning** Terri Pencovic
- [ ] **California Highway Patrol** John Olejnik Office of Special Projects
- [ ] **Housing & Community Development** Cathy Creswell Housing Policy Division

Dept. of Transportation

- [ ] **Dept. of Transportation 1** Mike Eagan District 1
- [ ] **Dept. of Transportation 2** Don Anderson District 2
- [ ] **Dept. of Transportation 3** Jeff Pulverman District 3
- [ ] **Dept. of Transportation 4** Tim Sable District 4
- [ ] **Dept. of Transportation 5** David Murray District 5
- [■] **Dept. of Transportation 6** Marc Birnbaum District 6
- [ ] **Dept. of Transportation 7** Cheryl J. Powell District 7
- [ ] **Dept. of Transportation 8** John Pagano District 8
- [ ] **Dept. of Transportation 9** Gayle Rosander District 9
- [ ] **Dept. of Transportation 10** Tom Dumas District 10
- [ ] **Dept. of Transportation 11** Mario Orso District 11
- [ ] **Dept. of Transportation 12** Bob Joseph District 12

Cal EPA

Air Resources Board

- [ ] Airport Projects Jim Lerner
- [ ] Transportation Projects Kurt Karperos
- [ ] Industrial Projects Mike Tollstrup

- [ ] **California Integrated Waste Management Board** Sue O'Leary
- [■] **State Water Resources Control Board** Jim Hockenberry Division of Financial Assistance
- [■] **State Water Resources Control Board** Student Intern, 401 Water Quality Certification Unit Division of Water Quality
- [■] **State Water Resouces Control Board** Steven Herrera Division of Water Rights
- [ ] **Dept. of Toxic Substances Control** CEQA Tracking Center

Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1** Cathleen Hudson North Coast Region (1)
- [ ] **RWQCB 2** Environmental Document Coordinator San Francisco Bay Region (2)
- [ ] **RWQCB 3** Central Coast Region (3)
- [ ] **RWQCB 4** Jonathan Bishop Los Angeles Region (4)
- [ ] **RWQCB 5S** Central Valley Region (5)
  - [■] **RWQCB 5F** Central Valley Region (5) Fresno Branch Office
  - [ ] **RWQCB 5R** Central Valley Region (5) Redding Branch Office
- [ ] **RWQCB 6** Lahontan Region (6)
  - [ ] **RWQCB 6V** Lahontan Region (6) Victorville Branch Office
- [ ] **RWQCB 7** Colorado River Basin Region (7)
- [ ] **RWQCB 8** Santa Ana Region (8)
- [ ] **RWQCB 9** San Diego Region (9)

- [ ] **Other** _____

_____

_____

Last Updated on 05/21/04

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

June 29, 2004

Ms. Mary M. Miller, Chief
Recreation and Environmental Studies Section
California Dept. of Water Resources
Div. of Planning and Local Assistance, Southern District
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

Dear Ms. Miller:

Notice of Preparation of a Draft Environmental Impact Report for
Tehachapi North Afterbay Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR).

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2002 Model. This model is available on the CARB Website at: www.arb.ca.gov.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips

should be included in the analysis. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:li

ODP040624-02LI
Control Number

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

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818 West Seventh Street

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July 7, 2004

Ms. Mary M. Miller, Chief
Recreation and Environmental Studies Section
California Department of Water Resources
Division of Planning and Local Assistance, Southern District
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

RE: SCAG Clearinghouse No. I 20040398 Notice of Preparation for the Tehachapi North Afterbay Project

Dear Ms. Miller:

Thank you for submitting the **Tehachapi North Afterbay Project** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **Tehachapi North Afterbay Project**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's **June 16-30, 2004** Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1867. Thank you.

Sincerely,

JEFFREY M. SMITH, AICP
Senior Regional Planner
Intergovernmental Review

NATIONAL CEMENT
National Cement Company of California, Inc.

Mailing Address:
15821 Ventura Blvd.
Suite 475
Encino, California 91436-4778

Physical Address:
5 Miles East of I-5
Off Highway 138
Lebec, California 93243
Telephone: 661-248-6733
Fax: 661-248-6602

July 19, 2004

Ms. Mary M. Miller, Chief
Recreation and Environmental Studies Section
California Department of Water Resources
Division of Planning and Local Assistance, Southern Region
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

Re: Tehachapi North Afterbay Project

Dear Ms. Miller:

National Cement Company of California, Inc. (National Cement) received your June 23, 2004, Notice of Preparation (NOP) of an Environmental Impact Report for the above mentioned project. As with the NOP for the Tehachapi Second Afterbay Project dated September 25, 2003, National Cement has no concern regarding environmental issues or concerns associated with the project.

As we mentioned in our letter of November 20, 2003, the original location of the project had the possibility of being constructed in the same area as a section of our water supply pipeline from our water well to the plant site. At that time, we had requested that the Department of Water Resources (DWR) realign any section of our water line that could be affected by your project. In reviewing the current project NOP, it appears that the new location for the project will not adversely affect operations at National Cement.

National Cement would like to meet with the Construction Project Manager in order to positively verify that the new location of the project will not impact on the water supply line from our well to the plant site. If your Project Manager would contact me and let me know when he/she will be in the vicinity, I could arrange for a short meeting at the site.

Thank you for your cooperation in this matter, should you need additional information, please telephone me at (661) 248-6733, extension 232; or you can contact me at jstefanik@natcem.com.

Sincerely,

Jerry Stefanik
Environmental Manager

CENTENNIAL FOUNDERS, LLC

July 23, 2004

Mary M. Miller, Chief
Recreation and Environmental Studies Section
California Department of Water Resources
Division of Planning and Local Assistance, Southern District
770 Fairmont Avenue, Suite 102
Glendale, CA 91203-1035

Dear Ms. Miller:

Thank you for providing us the opportunity to comment on the scope and content of the California Department of Water Resources' Environmental Impact Report regarding the Tehachapi North Afterbay Project ("EIR") as reflected in the Notice of Preparation ("NOP") sent out on June 23, 2004. We ask that you consider the following comments and include them in the scope of the EIR.

1. Although it may be inherently referenced through the mention of "future" projects in the NOP for the Tehachapi North Afterbay Project, we just want to ensure that the planned project for Centennial is included in the EIR that discusses potential impacts on current and future projects in the vicinity of the Tehachapi North Afterbay Project (the "Afterbay Project"), including, but not limited to, cumulative impacts, aesthetics, hydrology, and any other section that may be pertinent to a project such as Centennial that is planned in proximity to the Afterbay Project. For convenient reference, the following is a brief description of the Centennial project. A sustainable new town, known as Centennial, is currently planned for development in Los Angeles County just south of the location of the Afterbay Project. The closest northern boundary for Centennial is approximately ½ to 1 mile south of the Afterbay Project. Necessary entitlement applications have already been filed with the County of Los Angeles. Centennial proposes at build out the construction of approximately 23,000 homes accommodating an estimated 67,000 residents. The project extends from its westerly boundary (1 mile east of Interstate Highway 5) to its easterly boundary (300th Street West), and from its southerly boundary (south of State Route 138) to its northerly boundary (just south of the Kern County line). The project will cover approximately 18 square miles.

2. The NOP for the Afterbay Project ("NOP") describes a spoil embankment with a "maximum height of approximately 30 feet and slopes of 2:1." (see NOP, section "Project Details, *Spoil Embankment*) We request that the

EIR show/discusses contouring grading for this spoil embankment that mimics the existing natural contours.

3. Per one of the bullet points in the NOP, section Project Details, *Sitework*, it is discussed that the California Department of Water Resources will "plant native vegetation appropriate to the project site in areas disturbed by project construction, including staging areas and the spoil area." We agree with this measure and merely emphasize its importance for aesthetic reasons pertaining to the visual impacts on future Centennial residents.

4. In the NOP under section Probable Environmental Effects, *Less-Than-Significant Impacts with Mitigation Incorporated* a) Aesthetics, the use of exterior lighting during nighttime hours is discussed. The NOP recognizes that such use could have potentially significant impacts to future residences (such as those in Centennial) and acknowledges that feasible mitigation measures or alternatives would be implemented to reduce the impact to less than significant. We request that these affects be thoroughly discussed in the EIR and that mitigation measures or alternatives, as acknowledged by the NOP, be incorporated in the Afterbay Project to reduce impacts to future Centennial residents. The result of these mitigation measures or alternatives should be that there is no off-site light spill. Possible measures may include shielding of lights or designing the lighting in such way that no off-site light spill occurs, particularly to the south of the Afterbay Project.

Thank you for your anticipated consideration of our requests and their anticipated inclusion in the EIR. Please do not hesitate to contact me at the address and/or phone number below should you have any questions, or would like to discuss any of the above requests further.

Sincerely,

W. Todd Turley
Community Development Manager

Cc: Jeff Warren, Tejon Ranch Company

26650 THE OLD ROAD, SUITE 110, VALENCIA, CALIFORNIA 91381
TEL.: (661) 222-3200; FAX: (661) 255-7837